

Attorney Docket No. 57761.000031
GE Docket No. 11RC-4940
Application Serial No. 09/605,010

REMARKS

The Office Action mailed April 27, 2004 has been received and its contents carefully considered. Claims 1-22 remain pending in the present application. For the reasons set forth below, the claims are believed to be allowable over the art of record. Reconsideration of this application is respectfully requested.

A. The Rejection under 35 U.S.C. §103

In the Office Action, claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admission of prior art (AAPA) and O'Sullivan - "SNMP interface to the x10 world" - 12/1997 ("O'Sullivan"). The assertions set out in the rejection are respectfully traversed.

Claim 1 recites a protective relay for providing protective control to a power system, comprising a microprocessor for implementing a data flow in a communications server in the protective relay; first and second connections to a communications network and the power system, respectively; the communications server configured to receive relay configuration commands from a remote computer over the communications network in a network format, and to provide power system data and relay status data to the remote computer over the communications network in the network format.

On page 2, the Office Action asserts that regarding claims 1 and 17, AAPA teaches a protective relay for providing protective control to a power system comprising a microprocessor for implementing a data flow in a communications server in the protective relay [application's specification, p. 1, lines 5-6]; first and second connections to a communication network and the

Attorney Docket No. 57761.000031
GE Docket No. 11RC-4940
Application Serial No. 09/605,010

power system, respectively [application's specification, p. 1, lines 4-7]; the communication server configured to receive relay configuration commands from a remote computer over the communications network, and to provide power system data and relay status data to the remote computer over the communications network [Fig. 1; application's specification, p. 3, line 24 to p. 4, line 14].

Further, the Office Action asserts that AAPA teaches the communication server communicates with remote computer over a communications network using a product-specific software, therefore, the communications capability of the protective relay is limited. Further, the Office Action asserts that one of ordinary skill in the art would recognize that the flexibility of AAPA's device would increase if the device can support standard web browser software, and reflects that the asserted AAPA does not teach the communication server communicates with remote computer over the Internet.

The Office Action attempts to cure the deficiencies of the asserted AAPA based on the teachings of O'Sullivan. The Office Action asserts that O'Sullivan teaches at least one device is communicated with a computer over Internet [paragraphs 7-8] and that the communication between the computer, and the at least one device is for controlling the power of the device [paragraph 4]. The Office Action concludes that therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of AAPA and O'Sullivan because both teach the controlling of the power of the device over network, and because the Office Action asserts that it would increase the flexibility of AAPA's device by allowing the device easily communicates with remote computer over an Internet.

Attorney Docket No. 57761.000031
GE Docket No. 11RC-4940
Application Serial No. 09/605,010

Applicant traverses the grounds of rejection set forth in the Office Action. Claim 1 recites the communications server configured to receive relay configuration commands from a remote computer over the communications network in a network format, and to provide power system data and relay status data to the remote computer over the communications network in the network format. The applied art fails to teach or suggest such features. The Office Action appears to attempt to rely on the asserted AAPA (page 3, line 24 to page 4, line 14) for such alleged teaching. However, the asserted AAPA describes the device 10 includes functional modules 14 stored as executable software programs which provide various protective relaying functions, and that a database 16 exchanges device data, including relay settings and actual power system values with the functional modules 14. However, such teachings as set forth in the present application (the alleged asserted AAPA) relate to the database 16 vis-à-vis the functional modules 14. Such teaching does not disclose the manipulation of the relay configuration commands and the relay status data using the communications server, as recited in claim 1. Accordingly, it is respectfully submitted that the Office Action's assertion that such is taught by AAPA is without basis, i.e., the Office Action's assertions in the last paragraph of page 2 is without basis.

Further, the Office Action asserts the asserted AAPA teaches first and second connections to a communication network and the power system, respectively [application's specification, p. 1, lines 4-7]. Applicant respectfully queries in what manner such teaching is set forth the cited portion of asserted AAPA? The asserted AAPA appears to simply set forth that

Attorney Docket No. 57761.000031
GE Docket No. 11RC-4940
Application Serial No. 09/605,010

there are known digital protective relays which have communications capabilities. Such teaching fails to disclose the particulars of claim 1, as alleged in the Office Action.

Further, it is respectfully submitted that it would not have been obvious to combine the features of the asserted AAPA with O'Sullivan, as proposed in the Office Action. The disclosure of O'Sullivan in paragraph 4, for example, sets forth monitors and office lights as devices to be controlled. Further, in paragraphs 8 and 9 of O'Sullivan, O'Sullivan teachings relate to a home security system, alarm systems and Internet phone/netmeeting connections. It is respectfully submitted that the nature of the devices disclosed by O'Sullivan is different than the asserted AAPA, as would be appreciated by one of ordinary skill in the art. That is, a known communication processor for electric power substations, for example, is a complex arrangement, as described in the present application on page 1, line 17 - page 2, line 4, in contrast to the teachings of O'Sullivan. In particular, O'Sullivan even teaches that he would be wary of using x10 appliance modules to cycle power to network devices (routers, computers, etc.) Accordingly, Applicant submits that the fundamental nature of the asserted AAPA versus the devices of O'Sullivan would lead one away from the proposed combination, as asserted in the Office Action.

It is respectfully submitted that claims 14 and 17 recite patentable subject matter for reasons similar to those set forth above with regard to claim 1. In particular, claim 14 relates to transmission of commands of a first type and commands of a second type vis-à-vis a communications link, for example. Further, claim 17 recites particulars relating to HTML, in conjunction with the various other recited features.

Attorney Docket No. 57761.000031
GE Docket No. 11RC-4940
Application Serial No. 09/605,010

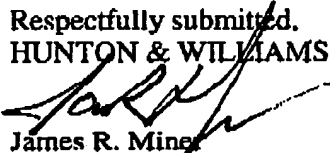
It is respectfully submitted that the claims define patentable subject matter. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

B. Conclusion

For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

For any fees due in connection with filing this Response the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,
HUNTON & WILLIAMS

James R. Miner
Registration No. 40,444

Hunton & Williams
1900 K Street, N.W., Suite 1200
Washington, D.C. 20006-1109
(202) 955-1500

Dated: September 27, 2004